

COMMITTEE AMENDMENT FORM

DATE: 08/16/ 06

COMMITTEE ZONING

PAGE NUM. (S) _

ORDINANCE I. D. #06-O-0776

SECTION (S)

RESOLUTION I. D. #06-R-

PARA.

AMENDS THE LEGISLATION BY ADDING ELEVEN (11) CONDITIONS, ONE
OF WHICH IS THE ATTACHMENT OF A SITE PLAN.

AMENDMENT DONE BY COUNCIL STAFF 8/16/06

City Council
Atlanta, Georgia

06-O-0776

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-06-37
Date Filed: 3-14-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **2812 Piedmont Road, N.E.**, be changed from the R-4 (Single family residential) District to the O-I-C (Office Institutional-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 60,17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

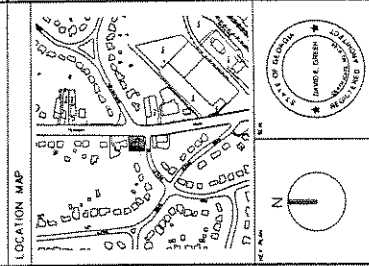
SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

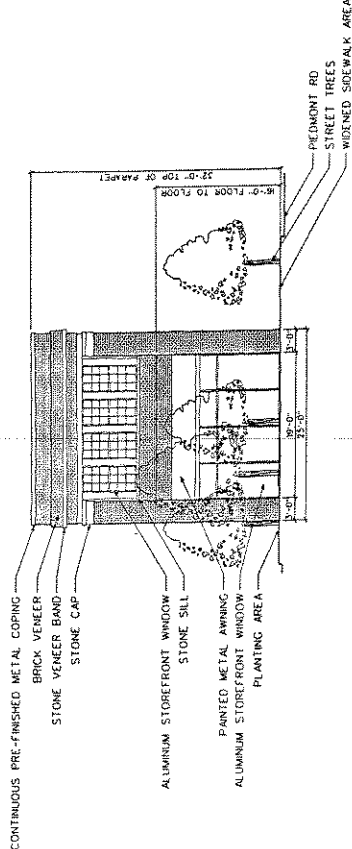
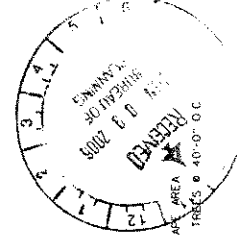
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

CONDITIONS FOR Z-06-37 for 2812 Piedmont Road, N.E.

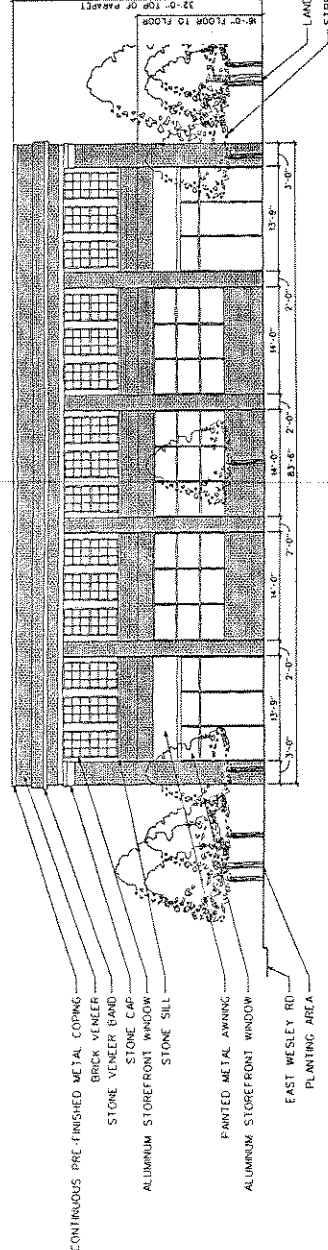
1. A site plan dated 05/26/06 by Lord Aeck Sargent entitled "2812 Piedmont Road Rezoning Application" and marked received by the Bureau of Planning 6/22/06, consisting of two sheets (AS01 and AS02) AS02 marked received by the Bureau of Planning 6/09/06.
2. Height of the building shall be limited to 32 feet.
3. Signage on the property shall be limited to a single business identification sign mounted flat to the wall of the building on the portion of the building facing Piedmont Road. Such sign shall not exceed 15 square feet. No lighting on such sign is permitted. No signage is permitted along the East Wesley Road street frontage. No freestanding sign is permitted.
4. The first story of the structure shown on the Site Plan, consisting of approximately 2,100 square feet, shall be devoted solely and exclusively to the following principal uses: offices, studios or clinics (other than veterinary). The second story of the structure shown on the Site Plan, consisting of approximately 2,100 square feet, shall be devoted solely and exclusively to single family residential use as a single residential unit. No principal uses except for the principal uses expressly described in the immediately preceding sentences shall be allowed on the Property. No accessory retail use shall be permitted.
5. All exterior lighting installed on the Property shall be designed, shield and constructed so as to prevent light spill off site and shall further be directed downward and away from adjacent properties.
6. HVAC units will be located on the roof of the structure as shown on the Site Plan.
7. All dumpsters, loading and service facilities shall be screened.
8. No fencing or gating shall be permitted on the Property.
9. The owner of the Property shall install and maintain a new, front sidewalk along Piedmont Road of not less than 12 feet in width.
10. As shown on the Site Plan, the Property shall have only one curb cut point of ingress and egress, located off of East Wesley Road. All parking shall be restricted to the parking lot shown on the Site Plan. No parking shall be permitted in the entrance drive.
11. The design of the North and West elevations of the improvements constructed on the Property shall be similar and architecturally consistent with the south and east elevations shown on the Elevation Plan.



200-37



F1 SOUTH ELEVATION
EAST WESLEY RD



A1 EAST ELEVATION
PIEDMONT RD

City Council
Atlanta, Georgia

06-0776

AN ORDINANCE

BY: CARLA SMITH



Z-06-37

Date Filed: 3-14-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **2812 Piedmont Road, N.E.**, be changed from the R-4 (Single family residential) District to the O-I (Office Institutional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 60,17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

EXHIBIT "A"

All that tract or parcel of land lying and being located in Land Lot 60 of the 17th District of Fulton County, Georgia and being shown on a Plat of Property of Inman Park Properties, Inc. by McClung Surveying Services, Inc. by Michael R. Noles, Georgia Registered Land Surveyor No. 2646, dated July 9, 2004 and being more fully described as follows:

The True Point of Beginning is at the intersection of the northerly right of way of East Wesley Road (50 foot R/W) and the westerly right of way of Piedmont Road (80 foot R/W);

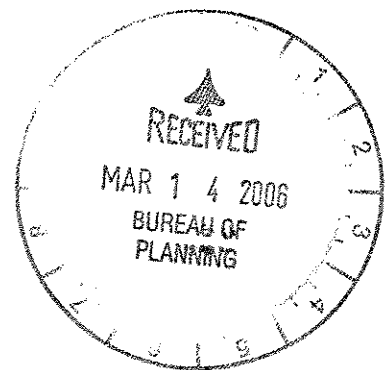
Thence running along the westerly right of way of Piedmont Road, North 06 degrees 45 minutes 04 seconds East, a distance of 104.74 feet to a rebar set;

Thence leaving the right of way of Piedmont Road and running North 85 degrees 55 minutes 38 seconds West, a distance of 97.87 feet, to an open top on the east side of a twenty foot alley;

Thence running along the east side of said Alley, South 06 degrees 54 minutes 23 seconds West, a distance of 108.35 feet to a rebar set on the northerly right of way of East Wesley Road;

Thence running along the northerly right of way of East Wesley Road, South 88 degrees 01 minutes 19 seconds East, a distance of 98.40 feet to a point on the westerly right of way of Piedmont Road being the True Point of Beginning.

Said tract or parcel containing 10,431 square feet or 0.239 acres and being known as 2812 Piedmont Road using the present system of numbering in the City of Atlanta, Georgia.



Z-06-37